

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES R. NELSON,

Plaintiff,

v.

OLUWATOBI M. OLA, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)

NO. 3:18-cv-00129

JUDGE CAMPBELL


MAGISTRATE JUDGE NEWBERN

ORDER

Pending before the Court is the Magistrate Judge's Report and Recommendation (Doc. No. 35), which was filed on April 17, 2019. Through the Report and Recommendation, the Magistrate Judge recommends Plaintiff's request for offensive collateral estoppel (Doc. No. 25) be denied, that this action be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute, and that Defendants' motion for summary judgment (Doc. No. 29) be found moot. Although the Report advised the parties that any objections must be filed within 14 days of service, no objections have been filed.

The Court has reviewed the Report and Recommendation and concludes it should be adopted and approved. Accordingly, Plaintiff's request for offensive collateral estoppel (Doc. No. 25) is **DENIED**. This action is **DISMISSED** without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b), and Defendants' motion for summary judgment (Doc. No. 29) is **DENIED** as moot.

It is so **ORDERED**.



WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE